

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HENRY J. PRIEN,

Plaintiff,

v.

GARRY LUCAS, *et al.*,

Defendants.

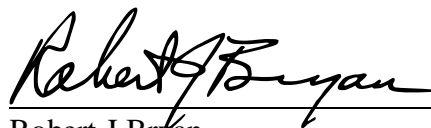
Case No. C07-5647 RJB/KLS

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendant Wexford Health Sources, Inc.'s Motion for Summary Judgment (Dkt. # 24) and Defendant Garry Lucas' Motion to Dismiss and for Summary Judgment (Dkt. # 28) are **GRANTED**; and
- (3) Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE for failure to exhaust**;
- (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and to the Hon. Karen L. Strombom.

DATED this 6th day of June, 2008.



Robert J Bryan
United States District Judge